

10-22-07

REQUEST FOR REFUND

Application #	10/512,097
Confirmation #	9110
Filing Date	May 17, 2005
First Inventor	SIMONSEN
Art Unit	1656
Examiner	Wax, Robert A.
Docket #	P08422US00/MP

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

On August 27, 2007, a charge was posted to the Deposit Account of the undersigned, Deposit Account No. 12-0555, in the amount of \$500 (Seq. 1; Fee Code 1402 "filing a brief in support of an appeal (large entity)"). It is believed that this charge was made in error for the following reasons.

On February 28, 2007 a payment was made by the undersigned to American Express Credit Card, Account Number: [REDACTED]-009, (Expiration Date: 12/09; Name on Credit Card: L&T US PTO FEES; Billing Address: same as below), in the amount of \$620 (\$500 for an Appeal Brief and \$120 for a one month extension of time, both at a large entity rate).

It appears that the Office incorrectly applied this payment to Serial No. 11/512,097, rather than to this application, 10/512,097.

Accordingly, it is respectfully requested that the Office apply the \$620 payment already made by the undersigned to the correct application number, and that a refund of \$500 be credited (in the same manner by which the extra fee was paid) to Deposit Account No. 12-0555.

Respectfully submitted,
STITES & HARBISON PLLC


Marvin Petry
Registration No. 22752

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Alexandria, Virginia 22314
(703) 739-4900

October 22, 2007



PETITION FOR
EXTENSION OF TIME
UNDER 37 CFR 1.136(a)

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This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee under 37 CFR 1.17(a) are as follows.

NOTE: Applicant claims small entity status.

No extension of time previously obtained.

Time Period	Large Entity Fee	Small Entity Fee
<input checked="" type="checkbox"/> One month	<input checked="" type="checkbox"/> \$ 120	<input type="checkbox"/> \$ 60
<input type="checkbox"/> Two months	<input type="checkbox"/> \$ 450	<input type="checkbox"/> \$ 225
<input type="checkbox"/> Three months	<input type="checkbox"/> \$ 1020	<input type="checkbox"/> \$ 510
<input type="checkbox"/> Four months	<input type="checkbox"/> \$ 1590	<input type="checkbox"/> \$ 795
<input type="checkbox"/> Five months	<input type="checkbox"/> \$ 2160	<input type="checkbox"/> \$ 1080

- Payment by credit card. FORM PTO-2038 in the amount of \$120 is attached.
- The Director is authorized to charge any fee or additional fee due in connection herewith to Deposit Account No. 12-0555:
- (1) if no payment or an insufficient payment is enclosed and a fee is due in connection herewith; or
 - (2) if a further fee and petition for extension of time are required at this time - and in this event, applicant hereby petitions under 37 CFR 1.136(a) for any further extension of time of as many months as are required to render this submission timely.

Date: February 28, 2007

Signed By

Attorney of Record

Name: Marvin Petry

Registration No.: 22,752

11/08/2007 SFELEKE1 00000005 120.00 0P
02 FC:1251

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Adjustment date: 11/08/2007 SFELEKE1
03/01/2007 JADD01 00000037 11512097
02 FC:1402 -500.00 0P



APPEAL BRIEF UNDER
37 C.F.R. § 41.37

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Mail Stop Appeal Brief- Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL FROM THE FINAL REJECTION
MAILED JULY 26, 2006

Adjustment date: 11/08/2007 SFELEKE1
03/01/2007 JADDO1 00000037 11512097
01 FC:1251 -120.00 OP

11/08/2007 SFELEKE1 00000005 10512097
01 FC:1402 500.00 OP

03/01/2007 JADDO1 00000037 11512097
02 FC:1402 500.00 OP

Document code: WFEE

United States Patent and Trademark Office
Sales Receipt for Accounting Date: 08/27/2007

RTYSON SALE #00000001 Mailroom Dt: 02/28/2007 120555 10512097
01 FC 1402 500.00 DA

Adjustment date: 11/08/2007 SFELEKE1
08/27/2007 RTYSON 00000001 120555 10512097
01 FC:1402 500.00 CR